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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/590,920	08/25/2006	Haseeb Akhtar	16818RRUS06N	4228
33000	7590	03/17/2009	EXAMINER	
DOCKET CLERK			HOANG, THAI D	
P.O. DRAWER 800889			ART UNIT	
DALLAS, TX 75380			PAPER NUMBER	
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**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b> 10/590,920	<b>Applicant(s)</b> AKHTAR ET AL.	
	<b>Examiner</b> THAI D. HOANG	<b>Art Unit</b> 2416	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 03 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 8/25/2006.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-26 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-26 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 8/25/2006 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)                       | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)   | Paper No(s)/Mail Date. _____                                      |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>3/26/2007</u> .   | 6) <input type="checkbox"/> Other: _____                          |

## **DETAILED ACTION**

### ***Specification***

The disclosure is objected to because it contains an embedded hyperlink and/or other form of browser-executable code on page 5, lines 16 and 19. Applicant is required to delete the embedded hyperlink and/or other form of browser-executable code. See MPEP § 608.01.

Appropriate correction is required.

### ***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for a patent.

Claims 1-26 are rejected under 35 U.S.C. 102(a) as being anticipated by Peng et al, US Patent Application Publication No. 2003/0145091 A1, hereafter referred to as Peng.

Regarding claims 1-4, 17 and 25, Peng discloses a method and system called "Access terminal profile in a data cellular network." Peng discloses the system comprising the steps of processing a call initiation request; and contemporaneously, allocating resources within the base station subsystem needed to grant network access to a Mobile Station (an Access Terminal 20 (AT) that can send a connection request message to the Access Network (AN), which in turn allocates radio resources (e.g., a

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physical traffic channel) to the AT (step 250) for use in sending/receiving data packets to/from the packet switched data network (step 260), figures 1-2, paragraph [0027].)

Regarding claims 5-6, the system disclosed by Peng inherently comprises software and hardware for allocating channels, therefore, the resources in the Peng's system are inherently both software and hardware resources.

Regarding claims 7 and 26, Peng discloses wherein the method is performed in a routing agent (the ANs transmit and receive data packets to and from ATs over the air interface; it, therefore, performs as a routing agent, paragraphs [0005], [0007], [0022] and [0027].)

Regarding claims 8-9 and 18-19, Peng discloses wherein the resources further comprise resource manager resources (the BSC 35 in the system disclosed by Peng allocates resources for a call, therefore, it inherently performs a resource manager and call processing resources, see figs. 4-5 and p.[0027].)

Regarding claim 10, Peng discloses wherein the step of contemporaneously, allocating resources is performed during user authentication (figures 4 and 8 the steps of allocating is performed during user authentication, steps 450, 460, 845 and 870.)

Regarding claims 11-14, Peng discloses wherein the step of processing the call initiation request is performed at a Base Transceiver Station (the BSC 35 the system disclosed by Peng performs steps of processing the call initiation request as shown in figures 3-7.)

Regarding claim 15, Peng discloses wherein the step of processing the call initiation request is performed at a Packet Control Function (the system comprises Packet Control Functions 40, see fig. 1.)

Regarding claim 16, the system disclosed by Peng inherently comprises at least a MSC to connect and transmit/receive data to/from BSCs with the network.

Regarding claims 20-22 and 23-24, Peng discloses the system comprising the steps of: establishing an A10 interface; allocating Packet Control Function resources for a packet data session in response to establishing the A10 interface; and connecting the PCF resources for the packet data session in response to allocating the PCF resources (see figure 1, Peng discloses the system comprises A10 interfaces, which is connect PCF modules 40 with PDSN 50 to allocate resources for packet data session, paragraphs [0020]-[0023].)

### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to THAI D. HOANG whose telephone number is (571)272-3184. The examiner can normally be reached on Monday-Friday 10:30am-19:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Chi Pham can be reached on (571) 272-3179. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

*/Thai D Hoang/  
Primary Examiner, Art Unit 2416*